

the sum of \$8,057.55, collected on account of the 1906 tax tickets, was on November 1, 1906, in the possession of respondent. He was then short \$382.16, the balance of the original shortage, and the court is of opinion, after giving respondent the benefit of the most favorable view that can be taken in his behalf, that the said amount of \$8,057.55, balance of said original shortage, was clearly county funds, and the residue of said shortage, which was made good on the 15th day of October—viz., \$3,293.70—came from money collected by said treasurer in his official capacity, in which the county had an interest. This view is further confirmed by the conduct of respondent, who, when asked by Boudier and Company, the examiners of the office: "What was your reason, Mr. Hechler, for not turning this money in the way you did?" said: "I did it to save the discounts that the bank would have charged me." He went on further and stated that he had a line of credit at the State Bank of \$25,000, which he could at any time call on to make any account good that was necessary, and that he did not use this money with any intention of wrongdoing, but simply to save interest or discount on these notes. (R., page 8.) And also, when called before the board of supervisors of the county to explain this shortage, his only defense was that he had used the money for his private purposes to avoid paying discount, and did not think it was wrong, as he had a credit of \$25,000 in the State Bank of Virginia, and could have replaced the money at any time. (R., page 64.) This action on the part of respondent is a clear violation of the express provisions of our statute, as set forth in sections 864, 865, 8717, V. C., 1887, and was malfeasance in office, and the court is required by law to perform the painful duty of removing said respondent from office.

I have been urged by the able and learned counsel for respondent to solve every doubt in his favor. I have done this, and would that I could see my way clear to doubt.

Order of Removal.

Respondent has acted in the manner he has with his eyes open. When he was appointed treasurer by this court it was not then known that Todd was short in his accounts. This court, inasmuch as respondent was its appointee, and was a deputy in the office of Todd, as soon as the shortage of Todd was known, called it to the attention of the grand jury and had a thorough examination into the affairs of the treasurer's office, and in its charge to the grand jury told them that they must investigate the acts of deputies; that the deceased could not be reached, and that the use of public funds by a treasurer for his private purposes was malfeasance in office (as provided by section 821).

It is, therefore, ordered that H. C. Hechler, treasurer of Henrico county, be removed from office for the reasons set forth above, and that he forthwith deliver up to the board of supervisors all the books and papers in his possession as treasurer, including all tax tickets for taxes and levies for which he has not accounted and paid into the treasury with the clerk of this court, who shall give a receipt therefor, and he shall hold a receipt subject to the future order of this court.

Upon the entering of this opinion, Mr. O'Flaherty, attorney for Mr. Hechler, made application for a stay of proceedings for thirty days in order that counsel might consider the advisability of making an appeal to the Supreme Court. This application was granted by the court. Judge Scott stating from the bench that he would be glad to have the proceedings reviewed by the superior court, especially as there were some points of law involved, and Mr. Hechler and his deputies remain in charge of the office pending further proceedings.

Will Issue Statement.

Mr. Hechler said yesterday that he would probably issue a statement in regard to the case when he had consulted with his counsel. In the meantime, however, he wished to say that there had never been a time when the money of the county was not forthcoming, and when his bank credits were not sufficient to cover all proper charges for county and school funds. Mr. Hechler added that he had always been able and ready to make good any shortage charged by the accountants, or that any further examination of his books might show. It is probable that his public statement in regard to the accounts involved will be issued during next week. Throughout the proceedings a lawyers on both sides of the case have stated that they had no reason to doubt Mr. Hechler's intention of honesty, or the ability of Mr. Hechler and his bookkeepers to make good any shortage that might appear.

The proceedings in this case have been brought under the provisions of Section 821 of the Code of Virginia, as amended (Acts 1889-90, p. 100; 1900, p. 100; 1902, p. 100; 1904, p. 100; 1906, p. 100; 1907, p. 100). The County or Corporation or Hustings Court shall have power to remove from office all county, city and district officers elected or appointed for a term of office, for malfeasance, misfeasance, incompetency or gross neglect of official duty. All proceedings under this section

"Berry's for Clothes."



Some Coats are quick sellers—some are slow. Now all must go. The only way to hustle the slow seller is to cut the price. See what we are doing this week.

\$9.75 for Overcoats up to \$15.
\$12.75 for Overcoats up to \$20.
\$17.75 for Overcoats up to \$25.
\$24.75 for Overcoats up to \$40.
Suits same way.

Shoes, Shirts, Underwear, Hats, Odd Pants, Vests—all to be had at a big saving over the former prices.

O.H. Berry & Co.
MEN'S & BOYS' CLOTHES

"Berry's for Clothes."



"Lovely," "sweet," "cunning," is what the mothers say about our styles for boys. Here's the newest and the best and the best of it is—February has cut the prices down to the smallest figures. Bring in your little ones and your big ones.

\$2.50 will buy Blouse Suits worth up to \$7—sizes 2-12 to 8 years.
\$3.50 will buy Double-Breasted Suits that were \$8 and \$6—all sizes; and Blouse Suits, up to 8 years, that were as high as \$7.50.
\$4.75 will buy Blouse and Double-Breasted Suits that sold up to \$8—all sizes.
Overcoats, Reefers, Norfolk Suits, &c., in proportion.

O.H. Berry & Co.
MEN'S & BOYS' CLOTHES

DIRECTORS TO MEET FRIDAY

Will Take Definite Steps Looking to Erection of New Y. M. C. A. Building.

MUCH WORK YET TO BE DONE

No Conditions Attached to Gift Cabled by Miss Helen Gould.

The claim after the storm settled upon the Y. M. C. A. headquarters in the Shaffer Building yesterday. Only a few bookkeepers and stenographers were to be found straightening up the details of the campaign. A few additional subscriptions came in yesterday, some by mail and some that had not hitherto been reported, and the total figures last night were \$27,304.44.

Secretary McKee urges all committee chairmen and others having cards and papers belonging to the campaign, whether they have any apparent value or not, to turn them in at once, in order that all the records may be kept in the most businesslike manner. It is proposed that all the papers and records in connection with the campaign be made into a package and put in the corner-stone of the new building.

Plans for New Building.

In connection with the new building Secretary McKee said last night that the board of directors would be called together next Friday night to take whatever action would be necessary to have matters progress as rapidly as possible. It will be necessary to select an architect and have plans prepared, although the general design is already decided upon. It will also be necessary to give notice to the tenants who now live upon the property, and make arrangements for tearing down the two old houses.

The headquarters office in the Shaffer Building were closed permanently last night, and the firms that have loaned furniture, typewriters, etc., will remove their property on Monday, and the room will be turned over to the government officials. A corner of the lobby of the building at Sixth and Main streets will be fenced off for a desk for Assistant Secretary Thompson, who will have charge of the new building papers and pledge cards. There are nearly 4,500 separate pledges, and most of these are in four payments, covering a period of from six months to two years. The work of collecting these pledges and keeping an accurate record will be considerable.

With regard to the cabled gift of Miss Helen Gould of \$25,000, which gave such a dramatic finish to the campaign, Mr. William Northrop said yesterday he understood that Miss Gould had made a straight donation, without any limiting proviso of any kind.

It has been suggested that this \$25,000 be used to build a special boys' annex to the proposed building to bear Miss Gould's name, and to give the boys' department a distinct home, where they would not be liable to be crowded out by an increased membership of men in future years.

The movement is taking definite shape to make a permanent organization of those who took part in the campaign, and it is expected that Chairman Sills will call a meeting shortly to consider the matter.

Men's Meeting To-Day.

The men's meeting to-day will be held in the association hall at Sixth and Main streets, instead of at the Academy of Music, as heretofore, all the men of the city being invited.

The meeting will begin at 8:30 P. M., and the address will be by Dr. Charles W. Kent, of the chair of English at the

DO YOU GET UP WITH A LAME BACK?



Have You Rheumatism, Kidney, Liver or Bladder Trouble?

To Prove What Swamp-Root, the Great Kidney, Liver and Bladder Remedy, will do for YOU, all our Readers May Have a Sample Bottle Sent Free by Mail.

Pain or dull ache in the back is unmistakable evidence of kidney trouble. It is a tender, aching, dull, or sharp pain, that the track of health is not clear.

If these danger signals are unheeded, more serious results are often sure to follow. Bright's disease, which is the worst form of kidney trouble, may steal upon you.

The mild and immediate effect of Swamp-Root, the great kidney and bladder remedy, is soon realized. It stands the highest, because its remarkable curative power has been proven in thousands of the most distressing cases. If you need a medicine, you should have the best. A thorough trial will convince any one.

LAME BACK.
Lame back is only one of many symptoms of kidney trouble. Other symptoms showing that you need Swamp-Root are, being obliged to pass water often during the day and to get up many times during the night, inability to hold your urine, smarting or irritation in passing, uric acid, or sediment in the urine, catarrh of the bladder, uric acid, occasional headache, dizziness, poor digestion, sleeplessness, nervousness, sometimes the heart acts badly, rheumatism, bloating, irritability, worn-out feeling, lack of ambition, loss of flesh, salivary complexion.

If your water, when allowed to remain undisturbed in a glass or bottle for twenty-four hours, forms a sediment or settling, or has a cloudy appearance, it is also evidence that your kidneys and bladder need immediate attention.

In taking Swamp-Root you afford nature help to Nature. For Swamp-Root is the most perfect healer and gentle aid to the kidneys that has yet been discovered.

If you are already convinced that Swamp-Root is what you need, you can purchase the regular fifty-cent and one-dollar size bottles at drug stores everywhere. Don't make any mistake, but remember the name, Swamp-Root, Dr. Kilmer's Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

EDITORIAL NOTE.—In order to prove the wonderful merits of Swamp-Root, you may have a sample bottle and a book of valuable information, both sent absolutely free by mail. The book contains many of the thousands upon thousands of testimonial letters received from men and women who found Swamp-Root to be just the remedy they needed. The value and success of Swamp-Root are so well known that our readers are advised to send for a sample bottle. In sending your address to Dr. Kilmer & Co., Binghamton, N. Y., be sure to say you read this generous offer in the Richmond Sunday Times-Dispatch. The genuineness of this offer is guaranteed.

University of Virginia. Dr. Kent is a man of force and distinction, and as a speaker has the use of a rare and beautiful diction. The Ariel Ladies' Quartette, of Boston, Mass., will sing.

Dies From Injuries.
Fletcher Jackson (colored), of Manchester, who was injured in the street car accident at Eighth and Main streets last Monday morning, died yesterday morning at 10:05 o'clock as a result of his injuries.

Early Monday morning Jackson, who worked for Hening & Nuckolls, hardware dealers, at No. 1435 East Main street, was on his way to work from his home, No. 1009 Decatur street, Manchester. He transferred at Seventh and Main to a Clay Street car, going east, which was run into at Eighth Street by a Main Street car. Several people were hurt, including the car men, who were bruised. Jackson had both feet severely crushed, and was taken to his home, in Manchester, where he was attended by Dr. J. M. Vaughan, who found his left limb injured up to the hip, and the right foot severely mashed.

For Colored Poor.
The local colored musical association will give a sacred concert this afternoon at 3:30 o'clock in the Second Baptist Church, of which Rev. Z. L. Lewis is pastor. The concert will be given for the benefit of the church, and a portion of the proceeds will go toward the Colored City Mission in supplying the needs of the poor.

Richmonders in New York.
NEW YORK, February 2.—The following Richmond people were registered to-day at New York hotels: Continental—Miss F. Smith, Mrs. J. H. Vaden; Marie Tamm, L. S. Wheelwright and wife; Vicksburg—W. E. Tripp and wife; Herald Square—R. G. Thornton.

OBITUARY.
William Cardwell.
Mr. William Cardwell died yesterday morning at the residence of Mrs. M. J. Cardwell, No. 216 N. Street, of pneumonia. The funeral will take place from Union Station Methodist Church at 3 o'clock this afternoon. Interment will be made in Oakwood.

S. B. Higginbotham.
[Special to The Times-Dispatch.] LEXINGTON, VA., February 2.—S. B. Higginbotham, aged fifty-one years, died this morning at his home, near Buena Vista, from pneumonia. He came to Rockbridge four years ago from Albemarle county. He was a successful farmer and business man. He is survived by his wife, who was a Miss Cunningham of Albemarle, and four children. The funeral will take place from Trinity Methodist Church, Lexington, and interment in Lexington Cemetery. Mr. Higginbotham was a prominent member of Ebenezer Methodist Church, Mt. Pleasant circuit, Albemarle county; was a steward of Bethel Church, and recording steward for Mt. Pleasant circuit.

Mrs. Louisa L. Quantz.
[Special to The Times-Dispatch.] WINCHESTER, VA., February 2.—Mrs. Louisa L. Quantz, widow of Henry

SMALL SPEAKS FOR INLAND WATERWAY

Makes Strong Plea for Canal From Beaufort to Norfolk.

WASHINGTON, D. C., February 2.—Two hours were spent to-day by the House in further consideration of the river and harbor appropriation bill, speeches against the bill being made by Mr. Heyburn (Idaho), Mr. Clark (Missouri) and Mr. Kiefer (Ohio). Mr. Small (North Carolina) espoused the building of a waterway from Norfolk to Beaufort Inlet.

Mr. Small insisted that if the internal trade of the country is to be preserved additional waterways would have to be developed and present waterways deepened. He said that the project covered largely natural waterways, the deepening of the rivers being the largest cost.

THE KING IN PARIS.

Royal Couple Will Occupy the Embassy.

PARIS, February 2.—King Edward, Queen Alexandra, and their suites, arrived here from London to-day on a week's visit. Their Majesties went to automobiles direct to the British embassy, which they will occupy during their stay in the French capital, the ambassador, Sir Francis L. Bertie, and his family having moved into a hotel. In order to emphasize the private character of the visit of the Duke and Duchess of Clarence, the titles under which the King and Queen are traveling.

At the King's special request, no representatives of the government met him at the railroad station, but a large crowd of people heartily cheered the royal couple. The incognito of their Majesties will not disappear until King Edward leaves his card at the Elysée Palace for President Failloux, after which there will be interviews at the palace and at the embassy.

WORK OF NURSERY.

Monthly Meeting of Board Held on Thursday.

The monthly meeting of the Belle Bryn-a-Day Nursery Board was held on Thursday. During the month there were thirty-one children in the nursery, a good attendance being eighteen. A large number of children and mothers have been sick, and these children are now in the hospital. There were twenty-one children in the kindergarten during the month. The girls' club has fifteen members, and meets every Tuesday with Miss Holiday. The boys' and mothers' clubs also have regular meetings, and they are all very much interested. Since the first of June 405 garments have been distributed, for which the mothers were very grateful.

All during the summer and winter a friend of the nursery who lives in the county takes one or two children for a week to stay with her, and they are very much improved by the trip.

BOILER EXPLODES: YOUNG MAN KILLED

[Special to The Times-Dispatch.] DANVILLE, VA., February 2.—L. G. Lea, son of the late Dr. C. G. Lea, who died several weeks ago at Milton, N. C., was killed about 10 o'clock last night at Thomasville, N. C., as the result of an explosion of a boiler on a steam shovel. He was twenty-two years of age, and was employed with a construction company engaged in the double-tracking of the Southern. The victim was a nephew of G. A. and John G. Lea, of Danville. The body will be conducted to-morrow at Milton.

Steamboats.

Virginia Navigation Co.'s
JAMES RIVER DAY LINE.
8 P. M. LEAVES FROM OLD DOMINION WHARF MONDAY, WEDNESDAY AND FRIDAY. Call A. M. for Norfolk, Portsmouth, Old Point, Newport News, Clarendon and James River landings, connecting Old Point for Washington, Baltimore and the North. Staterooms reserved for the night at moderate prices. Electric cars direct to the wharf. Fare, \$1.00 and \$1.50. Through Excursion Tickets on sale at Richmond Transfer Co., 815 E. Main street, and at the wharf. Fare, \$1.00 and \$1.50. Freight received for above-named places and all points in Eastern Virginia, North Carolina and the East.
JOHN F. MAYER, Agent.
IRVIN WEISBERG, Gen'l Mgr.

Ladies' Department

This bank pays special attention to the accounts of women. Courteous, affable and always willing. Any member of our clerical force will at any time impart information and instruct to the best of their ability on any matter pertaining to finance. Three per cent. compound interest. It is never too late to learn to save. Safe, sound and sure tells you something about this bank.

Planters National Bank,

Savings Department, RICHMOND, VA.

Capital, - - - \$300,000
Surplus & Profits, - \$1,000,000

Strength All Gone

Could Not Eat—Lost 62 Pounds—Unable to Walk—Hopeless and Seemingly Helpless—After Rheumatic Fever.

A fair, frank and full statement by a much respected and reliable woman—another triumph by Hood's Sarsaparilla.

"I was taken with a severe sickness, which developed into rheumatic fever, and after the serious stages of the fever I had no strength, and nothing seemed to aid me in convalescence. From March till October I was unable to walk, and began to think I never should walk again. My husband was all discouraged, so many medicines and prescriptions called. I ran down from 152 to 120 pounds. The physicians seemed to think I was a hopeless subject. One day my husband suggested Hood's Sarsaparilla, and I had heard such good reports from it, I told him I would try it, and began the next morning. A little benefit was soon apparent, and so I took one-half dozen bottles, which seemed to put me on the right road. I continued using the medicine, and when I had taken about two dozen bottles I felt and knew I was fully restored to health. I have not had rheumatism nor any after-effects of the fever since that time. Now I am telling you just what happened, exactly as it was."—Mrs. A. C. Brock, Everett, Mass.

MRS. A. C. BROCK.

Hood's Sarsaparilla
Sarsapata is Hood's Sarsaparilla. Have identical the same curative properties. Sold by all druggists or mailed on receipt of price, \$1, by C. I. Hood Co., Lowell, Mass.

Gives fresh life and vigor to the whole body. Buy a bottle and begin to take it to-day.

Guaranteed under the Food and Drugs Act, June 30, 1906. No. 324.

SMALLPOX CLOSES HANOVER CHURCHES

About Thirty Have Mild Form of Disease—Schools Also Closed.

[Special to The Times-Dispatch.] HANOVER, Feb. 2.—The contagious disease thought to be smallpox in the Aleea neighborhood still prevails. There are now about twenty-five families quarantined. The disease has been spreading rapidly, and has many of these people been sick more than two or three days. It has not been nearly so bad as measles. The malady seems to puzzle all of the doctors of the county. The trouble was caused by not closing the public schools and churches till thirty or forty had broken out. No churches are allowed to be open in this section of the county. That is worrying the people, who have not been in contact with those who have been exposed. The report has been exaggerated.

Injunction Dissolved.

NEWPORT NEWS, VA., February 2.—S. Gordon Cumming, who is attorney for the Peninsula Pure Water Company, of Hampton, to-day was notified by Judge Edmund Waddill, of the Federal court, that the injunction procured against the company by the Newport News Light and Water Company, a rival corporation, had been dissolved.

The injunction was for the purpose of restraining the new company from laying mains in certain streets in Hampton. The work on the new system will now be rushed to completion.

Miniature Almanac.

February 3, 1907.
Sun rises..... 7:14
Sun sets..... 5:24
Moon rises..... 10:53

HIGH TIDE..... \$11
Morning..... \$11
Evening..... \$12

Mercury..... 12:00

Venus..... 12:00

Mars..... 12:00

Jupiter..... 12:00

Saturn..... 12:00

Uranus..... 12:00

Neptune..... 12:00

Pleides..... 12:00

Antares..... 12:00